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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kenneth E. Miller)	Atty Dkt No: 5820.641
)	
Serial No: 10/660,093)	Examiner: K. Srivastava
)	
Filed: September 11, 2003)	Art Unit: 1657
)	
Customer No.: 30589)	Confirmation No.: 5920

For: METHOD OF ALLEVIATING CHRONIC PAIN VIA PERIPHERAL
INHIBITION OF NEUROTRANSMITTER SYNTHESIS

MAIL STOP - AMENDMENT
Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450

TERMINAL DISCLAIMER UNDER 37 C.F.R. § 1.321(b)

Sir:

I, Kathryn L. Hester, Ph.D., having a mailing address of Dunlap, Coddling & Rogers, P.C., P.O. Box 16370, Oklahoma City, OK 73113, in the County of Oklahoma and the State of Oklahoma, represent that I am agent of record for Petitioner/Assignee entity, The Board of Regents of The University Oklahoma, Norman, Oklahoma 73019. Kathryn L. Hester, Ph.D. is authorized to sign on behalf of Petitioner/Assignee.

The Board of Regents of the University of Oklahoma owns one hundred percent (100%) of the right, title and interest in and to **U.S. Patent No. 7,288,246, issued on October 30, 2007, assignment recorded on August 8, 2006, Reel/Frame 018083/0876.**

The Board of Regents of the University of Oklahoma owns one hundred percent (100%) of the right, title and interest in and to the above-identified patent application, **U.S. Serial No. 10/660,093**, filed September 11, 2003, assignment recorded on January 29, 2004, on Reel/Frames 014947/0184.

The assignment documents relating to **U.S. Patent No. 7,288,246** and the above-identified application, **U.S. Serial No. 10/660,093**, have been reviewed and certified by Petitioner/Assignee and, to the best of Petitioner/Assignee's knowledge and belief, title is in the Petitioner/Assignee seeking to take this action.


Your petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term defined in 35 U. S. C. §§ 154-156 and 173, and of the term as presently shortened by any terminal disclaimer of **U.S. Patent No. 7,288,246** as presently shortened by any terminal disclaimers filed prior to the grants of any patents granted on pending applications.

Petitioner further agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to **U. S. Patent No. 7,288,246.**

This agreement is to run with any patent granted on the above-identified application and is to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the earlier of the term defined in 35 U.S.C. §§ 154-156 and 173, and of the term as presently shortened by any terminal disclaimer of said **U.S. Patent No. 7,288,246** and of the terms of any patents granted on applications, as shortened by any terminal disclaimers filed prior to the patent grants, in the event that said **U.S. Patent No. 7,288,246** later: (1) expires for failure to pay a maintenance fee; (2) is held unenforceable or is found invalid by a court of competent jurisdiction; (3) is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321; (4) has all claims canceled by a reexamination certificate; (5) is reissued; or (6) is otherwise not deemed to provide the rights conveyed by 35 U.S.C. §§ 154-156 and 173 prior to the expiration of the full statutory term(s) as presently shortened by any terminal disclaimer(s), except for the separation of legal title stated above.

6-26-08
(Date)

By: 
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☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.